



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

REC'D

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RESP

SENT VIA FACSIMILE AND U.S. MAIL.
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December 3, 1998

Richard L. Waters, Esq.
Armstrong, Teasdale, Schlafly
& Davis
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740

Re: In the Matter of Willert Home Products, Inc., RCRA Docket No. VII-98-H-0017
In the Matter of Willert Home Products, Inc., EPCRA VII-97E-377

Dear Mr. Waters:

Pursuant to our conversation of December 2, 1998, I contacted my client, Steve Wurtz, who is the EPCRA compliance officer assigned to the EPCRA case. He is available for the conference call to be held on December 14, 1998 at 10:00 a.m., which we will initiate. Additionally, I also received notice that the RCRA case has been reassigned to new RCRA compliance officer, Peter Sam. Therefore, our agreement to file a Motion for a Continuance based on the lack of an individual assigned to the case is probably inappropriate at this time. I assume that we will be back on our original schedule ordered by the Administrative Law Judge (ALJ). We can discuss pursuing one or both matters through the Alternative Dispute Resolution (ADR) process and file the appropriate motions. Also, we can try to schedule a conference call for RCRA case as soon as possible.

In discussing both of these cases with the compliance officers over here, it occurred to me that I have failed to send certain guidelines regarding the Supplemental Environmental Project (SEP). These guidelines are being used by EPA Region VII to establish and insure both regional and national consistency of such projects with the May 1, 1998, SEP Policy. The following information, although fairly detailed, will help insure such consistency. Please provide the following information for your SEP projects:

- * Capital Costs in Dollars (with year);
- * Useful Life of Capital Equipment;
- * One-Time Non-Depreciable Costs in Dollars (with year);
- * Indicate whether the project will be Tax Deductible;
- * Identify the Annual Operation Costs and Savings (with year); and
- * Number of Credited Years



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To help the EPA determine the savings associated with the SEP resulting from energy efficiency gains, reduced material costs, reduced waste disposal, or increases in productivity, the EPA is also requesting Willert's Marginal Tax Rate, Inflation Rate, and Discount Rate.


Additionally, the EPA, in order to evaluate the environmental benefit of the project, is also requesting the following information:

- * A complete and accurate description of the actions to be undertaken by the Respondent;
- * A description of the benefits of the project to the public health and the environment--both quantitatively and qualitatively;
- * A description of how precisely the project fits the SEP policy--including project category and nexus;
- * A schedule for implementation, including periodic and final reporting; and
- * A description of how the final report will verify completion of the project and how the benefits will be measured or, at least, estimated.

I apologize for the delay in getting this information to you. It was an oversight on my part.

Should you have any questions, please call me at 913.551.7580. Also, for your information, my fax number is 913.551.7925.

Sincerely,



Phillip S. Page
Assistant Regional Counsel

Attorney for Complainant

c: Steve Wurtz, ARTD/TSP
Peter Sam, ARTD/RPCB